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| CHAPTER: VIII<br><b>ASSISTANCE UNIT</b> | SECTION: 3<br><b>LIVE-IN FAMILIES</b> | COMAR:<br><b>07.03.03.06</b> |
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## REQUIREMENTS

- A. When two adults are living together in a common law relationship, they and all their minor children must be in the assistance unit if they have a child in common, including an unborn child.
- B. The common law or live-in person without a minor child in the home cannot be in the assistance unit
- C. The common law or live-in person who has a natural or adopted minor child, but no child in common with the customer can choose to be in or out of the unit
  1. If the common law person is in the unit, that person's natural or adopted children must also be in the unit, unless otherwise excluded by policy
  2. If the common law person is not in the unit, that person's children are also not in the unit

**Note:** If the common law person chooses to be in the assistance unit, but is technically ineligible:

- The children may be in the unit, and if so
- Count income and resources according to Financial Eligibility - Income Calculations for Ineligible Household Members

If the common law person who chose to be in the assistance unit is sanctioned, follow normal sanction procedures:

- Apply a full-family sanction to all members of the assistance unit, including the other common law partner and all children
- Remove only the needs of the sanctioned person if it is an individual sanction

- D. Never establish two assistance units
- E. If the caretaker relative is no longer in the home, the common law person:
  1. Is the caretaker relative to all the children if there is a child in common
    - The child in common is the half-sibling to all the other children
  2. Has no legal relationship to the absent caretaker relative's children if they do not have a child in common and cannot receive TCA for those children
    - Refer to Social Services and legal services if the common law person wants to continue to care for the children of the original caretaker relative who is now absent
    - Close the TCA case if there are no eligible children, or
    - Remove the children of the absent caretaker relative from the grant

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## **VERIFICATION**

- A. Required to set up the assistance unit only if questionable
- B. Resources of the common law person are verified only if he or she is:
  - 1. In the assistance unit, or
  - 2. An excluded person with countable resources

## **CASE MANAGEMENT TIPS**

- A. When the common law person has a choice, test income to determine what is to the household's advantage
- B. The common law person and that person's dependents must be in the food stamp unit and all countable income considered

## **EXAMPLES**

Example 1. Mrs. Smith applies for assistance for her two sons. She is divorced from their father. She is living with Mr. Jones who supports her and his minor daughter.

- Mrs. Smith must be in the unit with her sons
- Mr. Jones and his daughter can choose to be in or out of the unit
- If Mr. Jones is not in the unit, any cash given to Mrs. Smith is income, but third party payments and in-kind income is excluded

Example 2. Miss Green is applying for assistance because she is pregnant. She lives with Mr. Blue, the father of her unborn, and his two sons.

- Miss Green, Mr. Blue, and his sons must be in the assistance unit together because he is the father of the unborn child and his other children must be in the unit with him

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Example 3. Mrs. Purple and her daughter, Violet, live with Mr. Orange and his son, Red. Mrs. Purple is pregnant with Mr. Orange's child. All are in the assistance unit. Mr. Orange leaves the home and Red stays with Mrs. Purple.

- Mrs. Purple is eligible to receive assistance for herself, Violet, and Red because her unborn child is a half-sibling of Red's
- When the baby is born, add the child to the grant
- If Mrs. Purple should miscarry, she cannot receive TCA for Red because there is no longer a relationship

Example 4. Miss Nashville applies for assistance for herself, her daughter Merry from a previous relationship, and her boyfriend, Mr. Knoxville. Mr. Knoxville was supporting them until he was injured and could no longer work

- Miss Nashville and Merry are in the assistance unit
- Mr. Knoxville has no minor children, so he cannot be included in the TCA unit, but he will be in the food stamp unit
- Mr. Knoxville may apply for TEHMA

#### **ADDITIONAL INFORMATION**

- Assistance Unit – Basic Requirements
- Financial Eligibility – Income - Earned
- Financial Eligibility – Income - Unearned
- Financial Eligibility – Ineligible Household Members Calculations